

PATENT COOPERATION TREATY

Received 

08 NOV. 2004

From the INTERNATIONAL SEARCHING AUTHORITY

Ferring Pharmaceuticals A/S
Patent DepartmentNOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT AND
THE WRITTEN OPINION OF THE INTERNATIONAL
SEARCHING AUTHORITY, OR THE DECLARATION

To:

FERRING PHARMACEUTICALS A/S
Attn. Poulsen, Niels Jakob
Kay Fiskers Plads 11
DK-2300 Copenhagen S
DENMARK

(PCT Rule 44.1)

Date of mailing
(day/month/year)

09/11/2004

Applicant's or agent's file reference

103083

FOR FURTHER ACTION

See paragraphs 1 and 4 below

International application No.

PCT/EP2004/004297

International filing date
(day/month/year)

23/04/2004

Applicant

FERRING B.V.

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46): ← 09.01.05

When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet. ind. fort**Where?** Directly to the International Bureau of WIPO, 34 chemin des Colombettes
1211 Geneva 20, Switzerland, Facsimile No.: (41-22) 740.14.35**For more detailed instructions,** see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.
3. ☐ **With regard to the protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
- ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
- ☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. Reminders

Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until **30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the International Searching Authority

European Patent Office, P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
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Authorized officer

Eva Boháčová

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 103083	FOR FURTHER ACTION see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/EP2004/004297	International filing date (day/month/year) 23/04/2004	(Earliest) Priority Date (day/month/year) 23/04/2003
Applicant FERRING B.V.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 4 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. ☐ **Certain claims were found unsearchable** (See Box II).

3. ☐ **Unity of invention is lacking** (see Box III).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regards to the **drawings**,

- a. the figure of the **drawings** to be published with the abstract is Figure No. _____

☐ as suggested by the applicant.

☐ as selected by this Authority, because the applicant failed to suggest a figure.

☐ as selected by this Authority, because this figure better characterizes the invention.

- b. ☐ none of the figures is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International Application No
PCT/EP2004/004297

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 A61K31/606 A61K9/16 A61P1/04

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 A61K A61P

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, MEDLINE, BIOSIS, EMBASE

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 81/02671 A (FERRING FARMA LAB.; HALSKOV S (DK)) 1 October 1981 (1981-10-01) cited in the application page 11, line 15 - line 23 -----	1-10
X	FERRING PHARMACEUTICALS: "Pentasa Sachet: Prolonged Release Granules 1 g" HOMEPAGE FERRING PHARMACEUTICALS, 'Online!' 19 January 2001 (2001-01-19), pages 1-2, XP002261788 Retrieved from the Internet: URL: http://www.ferring.com/site/ferring_com/view.asp?ID=510 'retrieved on 2003-11-17! paragraph '0001! - paragraph '0003! paragraph '06.1! ----- -/--	11

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *G* document member of the same patent family

Date of the actual completion of the international search

28 October 2004

Date of mailing of the international search report

09/11/2004

Name and mailing address of the ISA

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Authorized officer

Sindel, U

INTERNATIONAL SEARCH REPORT

International Application No

PCT/EP2004/004297

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
P, X	WO 03/032952 A (SVENN KLUEVER JEPSEN ; FERRING BV (NL)) 24 April 2003 (2003-04-24) page 6, line 13 - line 24 page 35, line 7 - line 9 page 16, line 12 - line 19 -----	1-22

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/EP2004/004297

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 8102671	A	01-10-1981	WO 8102671 A1	01-10-1981
			JP 57500432 T	11-03-1982
			US 4880794 A	14-11-1989
			US 5041431 A	20-08-1991
			US 4960765 A	02-10-1990
			US 4980173 A	25-12-1990
			US 5013727 A	07-05-1991
			US 4496553 A	29-01-1985
WO 03032952	A	24-04-2003	WO 03032952 A1	24-04-2003
			CA 2462905 A1	24-04-2003
			EP 1441700 A1	04-08-2004
			TW 577754 B	01-03-2004
			US 2003138495 A1	24-07-2003